IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 16193 of 2004

Between:

M/s.Priyadarshini Cements Limited, Ramapuram, Nalgonda District
represented by its Advisor-Corporate Affairs, Mr.G.Ramchander

..... PETITIONER

AND

1 The Assistant Commissioner (CT)(LTU), Nalgonda Division, Nalgonda.
2 The Commercial Tax Officer, Kodad, Nalgonda District.
3 The Appellate Deputy Commissioner, Hyderabad Rural Division, Hyderabad.
4 The Additional Commissioner (CT)(Legal) Hyderabad.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of mandamus or any other appropriate writ or order or direction restraining the 1st respondent from taking any coercive steps for collection of disputed penalty of Rs.1,29,11,215/- and Rs.1,76,26,170/- for the assessment years 1996-97 and 1997-98 pursuant to the notice of the 1st respondent dated 30-8-2004 pending disposal of stay application before the 4th respondent.

Counsel for the Petitioner : MR.P.SRINIVASA REDDY

Counsel for the Respondents : GP FOR COMMERCIAL TAXES

The Court at the stage of admission, made the following :

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ORDER : (Per Sri Bilal Nazki, J)

Heard learned Counsel for the parties. With their consent the Writ Petition is disposed of at this stage.

The grievance of the petitioner is that he has filed stay application on 30.08.2004 and it has not been disposed of. On the other hand the respondents are taking coercive steps for recovery of the disputed amounts. The only direction he seeks is that the stay application be disposed of. The learned Government Pleader has no objection if the matter is disposed of with a direction that the authority concerned may pass appropriate orders in accordance with law in the stay application within two weeks. The petitioner shall appear before the concerned authority on 17.9.2004.

Writ Petition is accordingly disposed of. No costs.

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(BILAL NAZKI, J)

10th September, 2004.

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(S.ANANDA REDDY, J)

ajr

To

1 The Assistant Commissioner (CT)(LTU), Nalgonda Division, Nalgonda.
2 The Commercial Tax Officer, Kodad, Nalgonda District.
3 The Appellate Deputy Commissioner, Hyderabad Rural Division, Hyderabad.
4 The Additional Commissioner (CT)(Legal) Hyderabad.

5 Two C.Cs. to the GP for Commercial Taxes, High Court buildings,

Hyderabad (O.U.T)

6 Two C.D. copies.